

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

CHANGPENG ZHAO, aka "CZ,"

Defendant.

NO. CR23-179 RAJ

[PROPOSED]

PROTECTIVE ORDER

This matter, having come to the Court's attention on the unopposed motion of the United States for the entry of a protective order governing material disclosed or produced to Defendant Changpeng Zhao, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER governing material disclosed or produced to Mr. Zhao:

1. Protected Material

Protected Material, however designated, and any and all copies, notes, transcripts, documents, and other information or materials derived or prepared from the Protective Material may be used by Defendant and Defendant's attorneys and defense staff (which is defined as non-lawyer staff including investigators, paralegals, law clerks, experts, consultants, and assistants for the attorneys) (hereinafter collectively referred to as "members of the defense team") only for the purposes of the above-captioned case.

1 Possession of copies of the Protected Material is limited to members of the defense team
2 and the Defendant.

3 The members of the defense team acknowledge that providing copies (in any
4 form) of the Protected Material to other persons is prohibited and agree not to duplicate or
5 provide copies of the Protected Material to other persons. Any violation of these
6 prohibitions constitutes a violation of the Protective Order.

7 Further, the attorneys of record are required prior to disseminating any copies of
8 the Protected Materials to members of the defense team, to provide a copy of this
9 Protective Order to members of the defense team and obtain written consent by members
10 of the defense team of their acknowledgment to be bound by the terms and conditions of
11 this Protective Order. Nothing in this order should be construed as imposing any
12 discovery obligations on the government that are different from those imposed by case
13 law and Rule 16 of the Federal Rules of Criminal Procedure.

14 2. Material Related to Sensitive Witnesses

15 The United States may designate some material as related to sensitive witnesses
16 who have provided information to law enforcement. If the United States makes such a
17 designation, in addition to the general restrictions on protected materials, any references
18 to the material in filings to the Court shall be submitted under seal. This does not entitle
19 either party to seal their filings as a matter of course, and, if appropriate, redacted
20 versions shall be filed publicly. The parties are required to comply in all respects to the
21 relevant local and federal rules of criminal procedure pertaining to the sealing of court
22 documents. The defense may object to any such designation by the United States and, if
23 the parties cannot agree, bring the designation before the Court.

24 3. Nontermination

25 The provisions of this Order shall not terminate at the conclusion of this
26 prosecution.
27

4. Violation of Any Terms of This Order.

Defendant and any other person or entity who is provided access to the Protected Materials submits to the jurisdiction of this Court for purposes of this Order, including sanctions or contempt for violation of the Order.

5. Right to Review

The parties agree that in the event that compliance with this Order makes it difficult for defense counsel to adhere to their Sixth Amendment obligations or otherwise imposes an unworkable burden on counsel, defense counsel shall bring any concerns about the terms of the Order to the attention of the government. The parties shall then meet and confer with the intention of finding a mutually acceptable solution. In the event that the parties cannot reach such a solution, defense counsel shall have the right to bring any concerns about the scope or terms of the Order to the attention of the Court.

The terms of this Order apply to current defense counsel, as well as to any successor defense counsel and team members.

DATED this ____ of ____, 2024

HON. RICHARD A. JONES

Presented by:

s/ Michael Dion

MICHAEL DION